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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Human rights situation in Palestine and other occupied Arab territories

Human rights in the occupied Syrian Golan

Report of the Secretary-General*

Summary

The present report was prepared pursuant to Human Rights Council resolution 25/31, in which the Council requested the Secretary-General to report to the Council at its twenty-eighth session on the implementation of that resolution.

* Late submission.

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 25/31, in which the Council called upon Israel, the occupying Power, to comply with the relevant resolutions of the General Assembly, the Security Council and the Human Rights Council. The Council recalled in particular Security Council resolution 497 (1981), in which it decided, inter alia, that the decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel rescind forthwith its decision.

2. In resolution 25/31, the Human Rights Council also requested the Secretary-General to bring the resolution to the attention of all Governments, the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations, to disseminate it as widely as possible and to report thereon to the Council at its twenty-eighth session.

II. Implementation of Human Rights Council resolution 25/31

3. On 3 September 2014, the Office of the United Nations High Commissioner for Human Rights (OHCHR), on behalf of the Secretary-General, addressed a note verbale to the Government of Israel referring to Human Rights Council resolution 25/31 and requesting information on any steps taken or envisaged to be taken concerning the implementation of the said resolution. No reply was received.

4. On the same day, OHCHR, on behalf of the Secretary-General, addressed a note verbale to all permanent missions in Geneva to draw their attention to Human Rights Council resolution 25/31 and to request the Governments of Member States to provide information on any steps taken or envisaged to be taken concerning the implementation of the relevant provisions of the resolution. The permanent missions of the Syrian Arab Republic, Cuba and Denmark responded by means of notes verbales to that request.

5. In addition, on behalf of the Secretary-General, OHCHR, pursuant to the request of the Human Rights Council, brought resolution 25/31 to the attention of the competent United Nations organs, specialized agencies, international and regional intergovernmental organizations and international humanitarian organizations. No reply was received.

6. In a note verbale dated 16 October 2014, the Syrian Arab Republic referred to the "continuing illegal occupation of the Syrian Golan by Israel". According to the Syrian Arab Republic, Israel continued to build illegal settlements, confiscate land owned by Syrian citizens, prevent the reunification of Syrian families and illegally explore and exploit natural resources, including water, gas and oil resources by Israeli and foreign-owned companies such as Genie Energy, as well as its ill-treatment of Syrian prisoners illegally held in Israeli jails.

7. According to the Syrian Arab Republic, the Israeli occupying authority in the occupied Syrian Golan, represented by the Israel Land Administration, did not allow the issuance of building permits for Syrian citizens in the village of Masa'da to build homes on their ancestral properties, but also confiscated parts of this land. In addition, the Syrian Arab Republic stated that the Israeli occupying authority continued to harass owners of the land comprising collectively owned plots of 354 *dunums* legally registered by the relevant Syrian authorities in 1946. The Syrian Arab Republic stated that the Israeli occupying authority had brought illegally more than 90 Syrian citizens to court in the occupied Syrian Golan under the pretext that they had not received proper building permits, which the Israeli authorities refused to grant.

8. In its response, the Syrian Arab Republic condemned the continued violation of the cultural rights of Syrian citizens in the occupied Syrian Golan. It stated that the Israeli authorities of occupation had recently organized its third archaeological conference in the Israeli illegal settlement of "Katzrin" in the occupied Syrian Golan on the theme "The Golan and Galilee, the nucleus for settlements", which concluded that the preservation of a Jewish presence in the Golan depended on the "excavation of ancient Jewish history". According to the Syrian Arab Republic, the conference and similar activities were used as a pretext to erase Syrian and Arab culture in the occupied Syrian Golan by falsifying facts about archaeological findings. The Syrian Arab Republic stated that a case in point was the attempt to erase the identity of the Syrian village of Um al Qanater in the south of the occupied Syrian Golan by illegally changing its name to "Kshatot Rehavam", and had issued in April 2014 an Israeli stamp with the Israeli name illegally given to the village.

9. The Syrian Arab Republic condemned Israel, as the occupying Power, for illegally imposing its law, jurisdiction and administration on the occupied Syrian Golan, and for disregarding all relevant United Nations resolutions pertaining to the illegal occupation of the Syrian Golan.

10. The Permanent Mission of Denmark, in a note verbale dated 17 September 2014, stated that the Government of Denmark was pursuing a peaceful settlement of the Israeli-Arab conflict, including between Israel and the Syrian Arab Republic. The conflict contributed to the destabilization of the overall security situation in the Middle East and had to be resolved. As a member of the European Union, Denmark associated itself fully with the policies and initiatives undertaken by the European Union as a whole and the various efforts made by the European External Action Service and the Commission of the European Union with regard to furthering peace and justice in the conflict. In July 2014, Denmark introduced to the members of the public common messages from the European Union aimed at raising awareness among European Union citizens and businesses regarding involvement in financing and economic activities in the settlements, including in the occupied Syrian Golan.

11. On 15 September 2014, the Permanent Mission of Cuba addressed a note verbale to OHCHR in which it expressed its full support for Human Rights Council resolution 25/31. It reiterated that all legislative and administrative measures and actions taken by Israel in the past 46 years were null and without juridical validity.

12. Cuba also referred to attempts made by Israel to modify the legal status, physical character, demographic composition and institutional structure of the occupied Syrian Golan.

13. In its note verbale, Cuba called upon Israel to withdraw immediately from the Syrian Golan to the lines existing on 4 June 1967, in compliance with Security Council resolutions 242 (1967) and 338 (1973). It also noted that Israel should renounce its unrestrained attempts to take over the occupied Syrian Golan. According to Cuba, foreign occupation, policies of expansion and aggression, the creation of settlements and of facts on the ground and the acquisition of territory by force were practices that violated international instruments and norms.

14. Cuba vehemently condemned violations of international humanitarian law committed by Israeli authorities in relation to Syrian detainees in the occupied Syrian Golan, reiterated its profound concern at the continuing brutal practices, expressing also its concern at the inhumane conditions created by the State of Israel.

15. Cuba rejected the Israeli practices aimed at the control and exploitation of natural resources of the Syrian Golan in what it described as the flagrant violation of Security Council and General Assembly resolutions in relation to the sovereignty of the Arab population in the Syrian Golan.

16. Cuba added that the 120 States Members of the Non-Aligned Movement had expressed their unconditional support for and solidarity with the legitimate demand of the Syrian Arab Republic to fulfil its sovereignty over the occupied Syrian Golan, based on the Arab Peace Initiative and the Madrid peace process, as well as the principle of land for peace, in conformity with relevant Security Council resolutions. According to Cuba, the ongoing occupation of the Syrian Golan and its de facto annexation constituted an obstacle to achieving fair, comprehensive and long-lasting peace in the region.